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WATER RIGHTS
SALT LAKE
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IN THE EIGHTH JUDICIAL DISTRICT COURT OF DUCHESNE COUNTY
STATE OF UTAH

IN THE MATTER OF THE GENERAL)	PETITION TO APPROVE 2003
DETERMINATION OF ALL THE	)	COMMISSIONER'S REPORT, 2004
RIGHTS TO THE USE OF WATER	)	BUDGET AND SCHEDULE OF ASSESS-
BOTH SURFACE AND UNDERGROUND	)	MENTS, 2004 SCHEDULE OF DIS-
WITHIN THE DRAINAGE AREA OF	)	TRIBUTION AND REQUEST TO
THE UINTAH BASIN IN UTAH	)	APPOINT THE 2004 RIVER COMMIS-
	)	SIONER FOR THE LAKE FORK RIVER,
	)	YELLOWSTONE RIVER, AND SAND
	)	WASH CREEK
)	
	)	Docket No. 3070
	)	Judge John R. Anderson
)	

Petitioner and the Committee for the Lake Fork River, Yellowstone River, and Sand Wash Creek, submit herewith the 2003 Annual Report of the Commissioner, the proposed 2004 Budget and Schedule of Assessments, and the 2004 proposed Schedule of Distribution, in accordance with the Interim Distribution Order signed by the Court on May 18, 1998. Petitioners, also, request the Appointment of the River Commissioner for the year 2004.

In support of this Petition, Petitioners represent to the Court that;

1. By its Interim Order dated May 18, 1998, a committee of water users for the Lake Fork and Yellowstone Rivers was organized under the direction of this Court. Lynn Hansen was Chairman of the committee appointed by this Court to support the River Commissioner and to aid in carrying out the orders of this Court, in connection with the distribution system for the waters of the Lake Fork and the Yellowstone River systems.

2. The Committee of the Lake Fork River, Yellowstone River, and Sand Wash Creek met on February 24, 2004 and Petitioner Lynn Burton was elected Chairman of that committee and is authorized to file this Petition on behalf of said committee.

3. The committee received and approved the 2003 report of the administration of the waters of the Lake Fork River, Yellowstone River, and Sand Wash Creek by William Christensen, the River Commissioner for the year 2003. A copy of that report is filed herewith.

4. The committee reviewed and approved a budget, with schedule of assessments, for the expenses of the River Commissioner for the year 2004. The Budget and Schedule of Assessments are attached hereto as "Exhibit A".

5. The committee has reviewed and approved, after consultation with the Utah State Engineer, a proposed Schedule of Distribution of the Waters of the Lake Fork River, Yellowstone River, and Sand Wash Creek and recommends it to the Court, for the year 2004. The proposed Schedule of Distribution for Lake Fork River, Yellowstone River, and Sand Wash Creek are attached hereto as "Exhibit B".

6. The committee voted to recommend to the Court the appointment of Bill Christensen as River Commissioner of the Lake Fork River, Yellowstone River, and Sand Wash Creek, for a term of one (1) year. Petitioner further alleges that Bill Christensen is a competent and qualified person to act as said Water Commissioner.

7. It is requested by the committee, if for any reason the River Commissioner does not complete his term of office or is unable to fulfill his obligations as River Commissioner, that the committee be authorized to select a temporary replacement River Commissioner.

8. The committee requests that the Interim Order entered for the irrigation year of 1998 be reaffirmed and made applicable for the 2004 irrigation year, in the following respects:

a. It is requested that the River Commissioner be allowed to distribute the water of the streams and reservoirs involved in accordance with this Court's Interim Order and to do all things

necessary for the proper and correct measurement, diversion and distribution of said waters, in accordance with the Decrees of the Federal District Court and state laws.

b. That the River Commissioner be directed to confer with the respective committees in developing a schedule for distribution of water, specifically, the manner in which the waters of the Lake Fork River, Yellowstone River, Sand Wash Creek, and their tributaries, should be distributed, after consultation with the State Engineer, and shall submit for next year a recommended Interim Distribution Order to this Court for its consideration.

c. That the River Commissioner be directed to deliver and distribute the waters of such non-Federal water rights in the Lake Fork River, Yellowstone River and Sand Wash Creek, in accordance with the proposed Schedules of Distribution, attached hereto as "Exhibit B".

d. That the waters for the Federal and non-Federal water rights be distributed in accordance with the terms and limitations of the 1923 Federal Court Decrees in cases numbered 4437 and 4418.

e. That the River Commissioner be required to work with the respective committees to prepare a recommended budget to be submitted to the Court for the next year. Said annual report and recommended budget are to contain assessments made, monies received, along with a report of expenditures. The Court, after

receiving the proposed annual budget, shall provide a thirty (30) day period for objections to be filed.

f. Upon approval by the Court, the River Commissioner be authorized to manage the budget, to implement the ordered assessments and collection of assessed amounts from the non-Federal water user organizations or water users, and request assessment and collection from the Bureau of Indian Affairs on the Uintah Indian Irrigation Project, in accordance with the approved budget and schedule of assessment.

g. Any person or entity, which is a water user in the subject rivers, or otherwise affected by the actions of the River Commissioner, may petition and appear before this Court (about the assessment amounts, the manner in which the water is distributed and/or any other claim relating to the distribution of water). In the event there is a violation of the Court's Order or any part of this Petition or, in the opinion of the River Commissioner, the occurrence of the unauthorized use of water, the River Commissioner be directed to recommend to this Court a solution to the problem, including any remedy to be imposed on the unauthorized water user or violator of the Order.

h. If a non-Federal water user fails to pay any assessments levied, when due, that water users further use of water is prohibited.

WHEREFORE, Petitioner prays as follows:


1. That the 2003 report of the administration of the waters of the Lake Fork River, Yellowstone River, and Sand Wash Creek be approved, as submitted and filed herewith.
2. That the 2004 Budget and Schedule of Assessments, be approved, as submitted and attached hereto as "Exhibit A".
3. That the proposed 2004 Schedule of Distribution of Waters of the Lake Fork River, Yellowstone River, and Sand Wash Creek be approved, as submitted and attached hereto as "Exhibit B".
4. That Bill Christensen be appointed to serve as River Commissioner of the Lake Fork River, Yellowstone River, and Sand Wash Creek for a period of one (1) year.
5. That the Committee for the Lake Fork River, Yellowstone River, and Sand Wash Creek be authorized to appoint a temporary replacement should the River Commissioner be unable to complete the one (1) year term.
6. That the applicable provisions of the 1998 Interim Order, as presented herein, be reaffirmed and made effective for the year 2004.

DATED this 12 day of april, 2004.

By: Lynn Burton
Lynn Burton, Chairman of
the Committee for the Lake
Fork River, Yellowstone
River, and Sand Wash Creek

ALLRED, McCLELLAN &
TROTTER, P.C.
Attorneys for Petitioners

By: _____
Clark A. McClellan

By:  _____
Clark B Allred

"EXHIBIT A"

Lake Fork River, Yellowstone River, and Sand Wash Creek
River Commissioner's
2004 Budget

Salary	\$ 36,720.00
Mileage	\$ 3,300.00
F.I.C.A.	\$ 2,810.00
Unemployment	\$ 25.00
Workers' Comp. Ins.	\$ 1,125.00
Office Supply	\$ 100.00
Association of Water Users ¹	\$ 1,375.00
Recorders, Repairs, etc.	\$ 2,000.00
Office O & M	\$ 1,400.00
Publish Annual Report	\$ 180.00
Phone	\$ 950.00
Property and Misc.	\$ 100.00
Retirement	\$ 2,000.00
Legal Fees	\$ 600.00

Expense Total	\$ 52,685.00

Funds on hand	\$43,182.24
TOTAL BUDGET EXPENSES and FUNDS ON HAND	\$95,867.24 =====

¹The committee has elected to utilize the services of the Associated Water users Association of the Lake Fork and Yellowstone River drainage for secretarial work, as well as, the collection of assessments from their members.

"EXHIBIT A"

Lake Fork River, Yellowstone River and Sand Wash Creek
River Commissioner's
2004 Schedule of Assessments

Funds on hand at the beginning
of the year carried forward from
unused 2002 budgeted funds \$43,182.24

Crystal Ranch	\$ 11.06
Dry Gulch Irr.	\$ 26,408.69
Farnsworth Canal & Irrigation	\$ 7,618.62
Hansen, Gordon	\$ 20.93
J. Bruce Hartman	\$ 90.44
Lake Fork Irrigation Co.	\$ 1,395.73
Lake Fork Western Irr. Co.	\$ 1,685.75
Lusty Cattle Inc.	\$ 32.14
Monarch Can. & Res.	\$ 111.69
Rowley Ditch	\$ 12.64
Sandwash Irr. Co.	\$ 811.15
South Boneta Ditch Co.	\$ 403.92
T. N. Dodd Irr. Co.	\$ 224.12
Uteland	\$ 880.40
Ute Indian Irr. Project	\$ <u>12,977.72</u>
Total Assessments	\$ 52,685.00

TOTAL ASSESSMENTS AND FUNDS
ON HAND

\$95,867.24
=====

LAKE FORK DISTRIBUTION

WR#	Appl. #	Cert. #	Appropriator	Priority Date	Flow of	Storage af	Use	Canal	Source	Irrig. Ac.
43-3013	360	1231	Indian Irrigation Servi	01/01/1861	140.06		IRR	Lake Fork Canal	Lake Fork	9701.43
43-3020	402	1171	Indian Irrigation Servi	01/01/1861	17.05		IRR	Lake Fork Canal	Lake Fork	1207.86
43-3014	360a	1215	Indian Irrigation Servi	01/01/1861	1.89		IRR	Payne Canal	Yellowstone	493.21
43-1682	359	1213	Indian Irrigation Servi	01/01/1861	62.20		IRR	Dry Gulch Canal	Lake Fork	4245.79
43-1683	359a	1214	Indian Irrigation Servi	01/01/1861	21.05		IRR	Red Cap Canal	Lake Fork	8751.74
43-1684	366	1217	Indian Irrigation Servi	01/01/1861	110.00		IRR	Red Cap Canal	Lake Fork	8751.74
43-1685	385	1220	Indian Irrigation Servi	01/01/1861	5.81		IRR	Dry Gulch Canal	Lake Fork	393.42
43-1686	403	1228	Indian Irrigation Servi	01/01/1861	3.30		IRR	Dry Gulch Canal	Lake Fork	230.36
43-3021	402a	1175	Indian Irrigation Servi	01/01/1861	0.33		IRR	Uteland Ditch	Lake Fork	24.57
43-3022	403a	1229	Indian Irrigation Servi	01/01/1861	6.00		IRR	Payne Canal	Yellowstone	493.21
43-3023	416c	1669	Lake Fk Irrigation Co.	07/31/1905	1.57		IRR/DOM	Dry Gulch #2 Canal	Lake Fork	117.71
43-3026	416b	2059	Dry Gulch Irrigation	07/31/1905	42.00		IRR	Dry Gulch #1 Canal	Lake Fork	5827.37
43-3027	416b-1	2045	Dry Gulch Irrigation	07/31/1905	68.50		IRR/DOM	Dry Gulch #2 Canal	Lake Fork	9587.38
3-3025	416a-1	2071	Lake Fk Irrigation Co.	07/31/1905	13.50		IRR/DOM	Dry Gulch #2 Canal	Lake Fork	1008.51
3-3024	416a	2061	Dry Gulch Irrigation	07/31/1905	14.20		IRR	Dry Gulch #1 Canal	Lake Fork	1920.18
3-10375	438a	2060	Dry Gulch Irrigation	07/31/1905	19.00		IRR	Dry Gulch #1 Canal	Yellowstone & Lake Fork	2660.78
3-3029	438a	2070	Dry Gulch Irrigation	08/19/1905	98.20	70	FC/Stock	6 Reservoirs	Lake Fork	23.33
3-2503	438	2069	Dry Gulch Irrigation	08/19/1905	107.71		IRR	Dry Gulch #2 Canal	Lake Fork	11633.61
3-3030	460	2265	Dry Gulch Irrigation	08/19/1905	52.40		IRR	Payne Canal	Lake Fork	12519.71
3-11107	460		Dry Gulch Irrigation	08/29/1905	3.10	8204	IRR	DG#1/DG#2/Payne	Lake Fork	3068.01
3-3031	460a	1850	Lake Fk Irrigation Co.	08/29/1905	7.50	651	IRR	Lake Fork Canal No. 1	Lake Fork	217.01
3-1687	491	153	Clark & Ada M. Lusty	08/29/1905	2.00		IRR	Dry Gulch #2 Canal	Lake Fork	613.26
3-3056	883a	460	Uteland Ditch Co.	09/08/1905	0.74		IRR	Hamilton Ditch	Lake Fork	128.86
3-3055	883	425	Purdy, Hardy, Solomo	04/26/1906	3.80		IRR	Uteland Ditch	Lake Fork	44.41
3-3032	498	389	Lake Fk Irrigation Co.	09/17/1906	1.97		IRR	Purdy Ditch	Lake Fork	228.91
3-3031	1226	880	Lake Fk Western Irr.C	03/02/1907	28.00		IRR	LF Western Canal	Lake Fork	158.01
3-1690	1178	994	Clark & Ada M. Lusty	07/07/1907	0.73		IRR	LF Western Canal	Lake Fork	2151.01
3-3068	1711	1471	Timothy/Goniokakis	01/07/1908	4.00		IRR	Knudsen Ditch	Lake Fork	51.11
3-3071	1759	1422	Dry Gulch Irrigation	02/17/1908	28.50		IRR/DOM	Payne Canal	Yellowstone	231.23
3-3073	1881	488	Uteland Ditch Co.	05/25/1908	1.20		IRR	Payne Canal	Lake Fork	2050.61
3-3062	1931	1464	Altamont Land & Dev.	07/03/1908	111.78	28	FC/Stock	Uteland Ditch	Lake Fork	102.21
3-1718	1931	1464	Farnsworth Canal Co.	07/03/1908	2.00		IRR	3 Reservoirs	WF Lake Fork	10950.73
3-10363	1931	1464	Altamont Land & Dev.	07/03/1908	9.00	26.94	FC/Stock	Farnsworth Canal	WF Lake Fork	
3-1691	2040	999	Uteland Ditch Co.	08/20/1908	2.00		IRR	2 Reservoirs	WF Lake Fork	
3-3077	2091	1411	Dry Gulch Irrigation	09/25/1908	9.00		IRR	McAfee Ditch	Lake Fork	129.36
3-3084	2548	836	Uteland Ditch/Hagber	07/01/1909	7.11		IRR	Payne Canal	Yellowstone	633.71
3-1719	2609	3152	Farnsworth Canal Co.	07/31/1909	25.22		IRR	Uteland Ditch	Lake Fork	499.91
3-3088	2797	540	Irrig. Farms Mortgage	11/06/1909	1.71		IRR	Farnsworth Canal	WF Lake Fork	10950.73
								Purdy Ditch	Lake Fork	120.91

LAKE FORK DISTRIBUTION

WR#	Appl. #	Cert. #	Appropriator	Priority Date	Flow cfs	Storage af	Use	Canal	Source	Irrig. Ac.
13-3089	2883	1746	Dry Gulch Irrigation	12/18/1909	2.67		IRR/DOM	Payne Canal	EF Lake Fork	205.95
13-1695	3198	398	Clark & Ada M. Lusty	05/09/1910	1.08		IRR	Hamilton Ditch	Lake Fork	76.06
13-3098	3369	1745	Dry Gulch Irrigation	07/06/1910	42.00		IRR	Diverting Dam	Yellowstone	2860.91
13-3099	3466	1584	Uteland Ditch/Danek	08/20/1910	5.26		IRR	Uteland Canal	Lake Fork	368.18
13-3103	3575	1499	So. Boneta Irrig. Co.	10/06/1910	8.80		IRR	So. Boneta Ditch	Lake Fork	616.73
13-2535	3652		First Security Bank	12/29/1910		14000	IRR	Moon Lake Reservoir	WF Lake Fork	70000.01
13-3106	3800a	949	Uteland Ditch Co.	02/25/1911	0.83		IRR	Uteland Ditch	Lake Fork	57.93
13-3117	4203	1749	Lake Fk Irrigation Co.	08/26/1911	12.00		IRR	Ditch	Lake Fork	1061.67
13-3122	4614	868	Arthur Barney	04/12/1912	0.36		IRR	Ditch	Lake Fork	25.11
13-3123	4684	2010	Moon Lake Water Us	05/22/1912	1.50		IRR	Clement Lake	Lake Fork	1587.08
3-3	4872	474	Sharpstone	09/26/1912	0.26	730	IRR	Crystal Ditch	Yellowstone	101.91
3-3130	5061	1617	Bryant Gilbert	02/13/1913	15.00		IRR	Ditch	Lake Fork	18.41
3-3138	5662	701	Ephraim Lambert	03/26/1914			Flour Mill	Headgate & Ditch	Lake Fork	
3-1710	6355	2252	Moon Lake Water Us	07/28/1915		851.2	IRR	Farnsworth Canal	WF Lake Fork	4776.1
3-1709	6353	2251	Moon Lake Water Us	07/28/1915		759	IRR	Kidney/Brown Duck	WF Lake Fork	4852.3
3-1717	6356	2253	Moon Lake Water Us	07/28/1915		1500	IRR	Farnsworth Canal	WF Lake Fork	4776.1
3-2533	7104		First Security Bank	01/22/1917		25000	IRR	Moon Lake Reservoir	WF Lake Fork	70000.01
3-3154	7130	1017	Uteland Ditch/Waugh	01/22/1917	0.15		IRR	Purdy Ditch	Lake Fork	18.61
3-3206	10124	2050	Uteland Ditch Co.	03/04/1917	0.59		IRR	Purdy Ditch	Lake Fork	37.49
3-3165	7645	1864	Moon Lake Water Us	02/25/1918		115	IRR	Water Lily Lake	Yellowstone	2860.91
1-1716	7901	2254	Moon Lake Water Us	11/07/1918		1700	IRR	Farnsworth Canal	WF Lake Fork	4887.3
1-3164	7644	1863	Moon Lake Water Us	03/24/1919		334	IRR	Farmers Lake	Yellowstone	2860.91
1-2532	8386a		Farnsworth Canal Co.	11/18/1919		1350	IRR	Twin Pots Reservoir	Lake Fork	70000.01
2-534	8532		Moon Lake Water Us	05/03/1920		2500	IRR	Twin Pots Reservoir	WF Lake Fork	70000.01
3-096	3268	1102	Uintah Power & Light	03/14/1921	25.00		MUN	Headgate	Lake Fork	
3-069	1711	1747	Dry Gulch Irrigation	05/12/1924	4.00		IRR	Payne Canal	Yellowstone	261.28
3-27	9799		Moon Lake Water Us	08/17/1925		640	IRR	Drift, Bluebell, Spider	Yellowstone	392.21
3-26	9796	1866	Moon Lake Water Us	05/11/1926		30	IRR	White Miller Lake	Yellowstone	2860.91
3-196	9628	1865	Moon Lake Water Us	04/27/1928		104	IRR	Deer Lake	Yellowstone	2860.91
3-192	9383	2272	Geo. E. Fisher Jr.	11/29/1929	2.28		IRR	Rowley Ditch	Lake Fork	42.91
1-699	3945	2173	I. Warren Odekirk	01/16/1934	1.80		IRR	Ditch	Lake Fork	86.01
467	13412		Myton City	03/04/1940	2.00		D M		Lake Fork	None
5098	13900a		Moon Lake Water Us	11/09/1940		620	IRR	East & Middle Timothy Ditch	Trib. Yellowstone	90000.01
3245	13233	4490	Rue Miles	12/08/1942	1.59		IRR/Stock		Trib. to Lake Fork	141.61
3333	17978		Moon Lake Water Us	08/13/1946	330.00		IRR	Sandwash/Browns Dr	Yellowstone & Lake Fork	73000.01
3239	13056	5889	Moon Lake Water Us	02/29/1952	66.22		Power	Dam and Pipes	Yellowstone	
2538	8298		Moon Lake Water Us	08/08/1953		400	IRR	Superior Lake	Yellowstone	6680.01
2501	8300		Moon Lake Water Us	08/08/1953		500	IRR	Five Point Lake	Yellowstone	6680.01
1850	30028		Clarence J. Murray	07/07/1958	2.50	88.7	IRR		Trib. to Lake Fork	151.01

LAKE FORK DISTRIBUTION

WR#	Appl. #	Cert. #	Appropriator	Priority Date	Flow cfs	Storage af	Use	Canal	Source	Irrig. Ac.
43-3618	33361	6681	Grant Hansen	06/22/1961	4.95	5.29	IRR	Dam and Ditch	Trib. to Lake Fork	20.01
43-3616	33359	7276	Grant Hansen	06/22/1961	5.00	17.67	IRR	Dam and Ditch	Trib. to Lake Fork	66.66
43-3623	33740		Dean A. Reay	08/31/1981	1.65		Irr/Stock	Ditch	Trib. to Lake Fork	135.95
43-32	34707		Grant Hansen	11/09/1962		45	I S FC		Trib. to Lake Fork	66.25
43-3663	34707		Grant Hansen	11/09/1962		76	I/S/FC	Reservoir No. 1	Trib. to Lake Fork	59.25
43-31	34707		Grant Hansen	11/09/1962		60	I S FC		Trib. to Lake Fork	66.25
43-3703	35200		Grant Hansen	04/29/1963		18	IRR	Unnamed Reservoir	Trib. to Lake Fork	54.21
43-3825	36642		CUWCD	11/27/1964		50000	I/S/FC/R	Lake Fork Reservoir	Yellowstone & Lake Fork	37500.01
43-5077	37704		Wildlife Resources	06/15/1966	3.00	1200	FC	Big Sand Wash Res	Yellowstone & Lake Fork	
43-?	22936		Zanes Minerals	07/01/1969	1.75		IRR	Ditch	Trib. to Lake Fork	75.01

PRIORITY SCHEDULE

BIG SAND WASH (REVISED APRIL 4, 1980)

RE: Adj.,

Page

PRIORITY	FLOW	PERIOD OF USE	SOURCE & DITCH	APPL. NO. OR CERT. NO.	CLAIMANT	W.U. CLAIM NO.	TOTAL ACRES	CLAIMS USED FOR SAME ACREAGE	ACRE FEET	REMARKS
First Civil 1257	1.125	Apr.-Oct. 31	Blood Draw Trib. to Sand Wash	A. 7859 Ch. a-6122 Civil 1257	Gordon Hansen Bruce Hartman	43- 1957 43- 3170	45.40			Limited to the Irr. Require- ments of 24.4375 acres Limited to the Irr. Require- ments of 42.0375 acres
June 12 1914	6.0 Civil 5723	5/1 - 10/12 Civil 5723	Sand Wash	A. 5772 Cert. 2039	Sand Wash Irr. Co.	43- 3139	959.06 - cert 990.00 - 2477.3 sole supply	Supplemental Dry Gulch Irr. Co. Civil 5723	1964.0 Civil 5723	Original right amended by Civil #5723 Cert. 145371
Sept. 28 1916	10.0	4/1 - 10/31	Sand Wash	A. 6960 Cert. 2063	Dry Gulch Irr. Co.	43- 3159	1032.5			Original right amended by Civil #5723 Cert. 145371
Aug. 10 1926	0.78	3/15 - 10/31 Civil 1257	Sand Wash	A. 7282 Cert. 1567	Nathaniel J. Mitchell (New Grant Hansen)	43- 3157	54.9			
Aug. 16 1926	0.50	4/1 - 10/31 Civil 1257	Sand Wash	A. 7345 Cert. 1618	George Potts (Now Leland Potts)	43- 3158	60.0			
Nov. 11 1926	0.60	3/15 - 10/15 Civil 1257	Sand Wash	A. 10011 Cert. 1654	Oscar Nelson	43- 3203	90.9			
Aug. 13 1926	30.0	3/1 - 11/30	Sand Wash	A. 17978 Election	Board of Water Resources	43- 3333	73,000.0			

MAILING CERTIFICATE

I, Cheree Brotherson, am employed by the office of McKEACHNIE, ALLRED, McCLELLAN & TROTTER, P. C. attorneys for Petitioners herein and hereby certify that I served the attached PETITION TO APPROVE 2003 COMMISSIONER'S REPORT, 2004 BUDGET AND SCHEDULE OF ASSESSMENTS, 2004 SCHEDULE OF DISTRIBUTION AND REQUEST TO APPOINT THE 2003 RIVER COMMISSIONER FOR THE LAKE FORK RIVER, YELLOWSTONE RIVER, AND SAND WASH CREEK by placing a true and correct copy thereon in an envelope addressed to:

LYNN BURTON
COMMITTEE CHAIRMAN
STAR ROUTE BOX 140
TALMAGE, UT 84073

CARLIE CHRISTENSEN
ASSISTANT U.S. ATTORNEY
185 SOUTH STATE, SUITE 400
SALT LAKE CITY, UT 84111

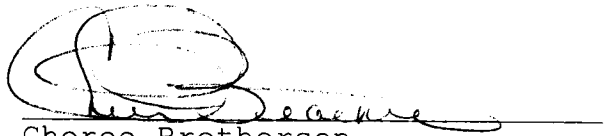
WILLIAM R. MCCONKIE
OFFICE OF THE SOLICITOR
125 SOUTH STATE STREET
SALT LAKE CITY, UT 84138

MICHAEL QUEALLY
ASSISTANT ATTORNEY GENERAL
1594 WEST NORTH TEMPLE, #300
SALT LAKE CITY, UT 84114-6300

ASSOCIATED WATER USERS
DRY GULCH IRRIGATION
P O BOX 265
ROOSEVELT, UTAH 84066

LEE SIMMS
WATER RIGHTS DIVISION
P. O. BOX 146300
SALT LAKE CITY, UT 84114-6300

and deposited the same, sealed, with first class postage prepaid thereon, in the United States mail at Roosevelt, Utah, on the 12th day of April, 2004.


Cheree Brotherson